

74. (1) Subject to the previous sanction of the Government, a District Board may make grants-in-aid to any medical institution or school within or without the area under its authority whether it be under public or private management.

Contributions to expenditure incurred by the Government or other local authorities and power to make grants-in-aid.

(2) The Government may require a District Board to contribute towards the expenditure incurred by it or any other District Board, Municipal Council or Village Panchayet; for any of the purposes authorised by or under the provisions of this Regulation if such expenditure is such as to benefit the inhabitants of the area under the authority of such District Board.

75. When a District Board has entered into any arrangement or made any promise, purporting to bind itself or its successors for a term of years or for an unlimited period, to continue to any institution a yearly contribution from its property or from the District Fund, it shall be lawful for the District Board or its successors with the sanction of the Government, to cancel such arrangement or promise or to discontinue or to diminish such contribution, provided that it shall have given at least six months' notice of its intention so to do to the manager or managers of such institution.

Arrangements purporting to be binding permanently or for a term of years.

76. (1) Every District Board shall, on or before the prescribed day in each year, hold a meeting at which the Standing Committee shall submit to the Board in such form as the Government may, from time to time, by rule prescribe an estimate of the income and expenditure of the Board for the next official year.

Annual estimates of income and expenditure.

(2) The District Board shall consider the estimate and may approve of it with or without modification.

(3) The District Board shall, on or before the prescribed day, cause a copy of the estimate as approved by it to be sent to the Deputy Commissioner, who shall submit the same to the Government with his remarks, if any, and it shall be competent to the Government to sanction the estimate with such modification, if any, as it deems fit.

Provided that the District Board may sanction transfer of funds from one major or minor head in the budget to any major or minor head by a re-appropriation of an allotment sanctioned in the budget.

77. Accounts of all the receipts and expenditure of every District Board shall be made up to the last day of every official year, in such form as the Government from time to time prescribes, and shall be examined and audited as soon as may be, after the end of each official year by such persons as the Government from time to time appoints in this behalf.

Annual accounts and audit.

78. The District Board shall cause a copy of every estimate approved under Section 76 and of every account made up under Section 77 to be kept at its office; and any person may at all reasonable times inspect any such estimate or account.

Inspection of estimates and accounts.

79. An abstract of every annual account of a District Board, showing its income under each head of receipts, the charges for establishment, the works undertaken, the sums expended on each work and the balance, if any, of the fund remaining unspent, shall be prepared by the District Board and submitted to the Government.

Submission of abstract of accounts to the Government.

CHAPTER VII.

RECOVERY OF DUES.

80. (1) When any sum not being a toll payable on demand—

Notice of demand for fee, cess or other dues.

(a) which by or under the provisions of this Regulation, is declared to be recoverable in the manner provided by this Chapter, or

	(b) which is claimable as a fee, cess or other due under this Regulation or any rule or bye-law thereunder, shall have become due and remain unpaid ten days after the same is due, the President of the District Board or some person duly authorised by the President in writing in this behalf may serve upon the person or persons liable to pay such sum, a notice in writing in a form to be prescribed by the rules framed in this behalf.
Distress.	(2) If such person does not within fifteen days from the service of such notice of demand upon him pay the sum due, or show cause to the satisfaction of the President, why the same should not be paid, the President or other person duly authorised in this behalf, may levy such sum, with all costs by distress and sale of the movable property of the defaulter.
Warrant for distress.	81. In order to effect the distress and sale of property under sub-section (2) of section 80, the President or other officer duly empowered in this behalf shall issue a warrant in the form to be prescribed by rules and for each such warrant, a warrant fee of two annas shall be leviable.
Inventory, sale.	82. The President or other person duly authorised as aforesaid shall make an inventory of the property distrained and if the amount due is not paid within fifteen days after distress, the property may be sold.
Receipts to be given for all payments of fees, etc.	83. The President of the District Board shall give or cause to be given to every person making payment of a toll, fees, cess or other dues a receipt therefor signed by him, or some person duly authorised in that behalf. Such receipt shall specify— <ol style="list-style-type: none"> (1) the date of the grant thereof, (2) the name of the person by whom it is granted, (3) the toll, fee, cess or other dues in respect of which the payment has been made, (4) the period for which the payment has been made, and (5) the amount in respect of which it is granted.
Conditions of distress and sale.	84. (1) Whenever, under the provisions of this Regulation, any property is distrained, seized or sold in consequence of the non-payment of any fee, cess or other dues, not being a toll, such distress, seizure and sale shall be effected subject to the provisions of the following sub-sections and of Section 62 of the Code of Civil Procedure.
Exemption from distress and sale.	(2) All such property as is by the Civil Procedure Code exempted from attachment or sale in execution of a decree shall be exempt from distress or sale under this section.
Limit of distress.	(3) The distress shall not be excessive, that is to say, the property distrained shall be, as nearly as possible, proportionate to the amount due on account of the fee, cess or other dues and distress fee and the probable expenses incidental to the detention and sale of the said property.
Perishable property.	(4) When the property seized is subject to speedy and natural decay, or when the expense of keeping it in custody and the amount due will exceed its value, the person seizing the property shall at once, after seizure of such property, give notice to the person in whose possession it was when seized to the effect that it will be sold at once, and shall sell it accordingly unless the amount due be forthwith paid.
Surplus sale proceeds.	(5) Any surplus that may remain after deducting the amount of the fees, cesses or dues and of the said expenses, including the expenses of the sale, shall be returned on demand if made within six months to the owner of the property, or if no demand be made within such period shall be credited to the District Fund.
Recovery of arrears at the commencement of the Regulation.	85. All arrears of fees, cesses and other sums due to a District Board or Taluk Board at the time of the commencement of this Regulation may be recovered by the District Board having authority over the District as though they had accrued under this Regulation.

86. Nothing herein contained shall preclude the institution of a suit for any amount due under this Regulation.

Recovery of amount due by suit not precluded.

CHAPTER VIII.

OFFICERS AND SERVANTS OF DISTRICT BOARDS.

87. (1) Any District Board may, with the sanction of the Government, appoint a Chief Officer and a Health Officer and an Engineering or any one or more of such officers or appoint one person, whether temporarily, or permanently, to discharge the duties of any two or of all such officers and pay such salaries to them as the Government having regard to the financial condition of the District Board may direct.

District Board may appoint Chief Officer, Health Officer and Engineer.

(2) No such officer shall be removeable from office except with the previous sanction of the Government.

(3) When a Chief Officer is appointed, all other officers and servants employed by the District Board, save such as are excepted by order of the Government from time to time, shall be subordinate to him.

(4) The Chief Officer of a District Board shall exercise the powers delegated to him by the District Board in addition to the powers that may be conferred on him by such rules as may be framed by the Government in this behalf.

(5) The Chief Officer may, with the permission of the President, or in virtue of a resolution passed in this behalf at any meeting of the District Board or of any Committee make an explanation in regard to any subject under discussion at such meeting, but shall not vote upon or make any proposition at such meeting.

88. Subject to the rules of recruitment that may be framed by the Government from time to time, every District Board shall employ such other officers and servants as may be necessary and proper for the efficient execution of its duties and shall assign to them such pay, allowances, gratuities and pensions as the Government may direct.

Other officers and servants.

89. The pay, leave, punishment, transfer, pensions, gratuities and other matters relating to the officers and servants of District Boards shall be regulated by the Mysore Service Regulations and the special or general orders and rules made by the Government in this behalf.

Service Regulations.

CHAPTER IX.

CONTROL AND MISCELLANEOUS.

90. The Government may, by order in writing, amend any proceedings or resolution of a District Board which it considers to be wrong or not in conformity with law and the rules or bye-laws in force thereunder and may do all things necessary to secure such conformity.

Government's power to amend proceedings of District Boards.

91. The Deputy Commissioner of a District shall have power—

Inspection of offices of District Boards.

(a) to inspect the office of any District Board,

(b) to call for records of any District Board either on his own motion or on the application of an aggrieved party and to submit the same with his opinion to the Government for such orders as it may deem fit to pass, if he is satisfied that the order or proceedings of the District Board or its executive is wrong or contrary to law.

Deputy
Commissioner's
power of
supervision.

92. (1) The Deputy Commissioner of District shall have power to supervise the proceedings of the District Board on the several Committees in the District, and in the exercise of that power may (among other things) —

(a) enter on and inspect, or cause to be entered on and inspected, any immovable property occupied by the District Board or a Committee, or any work in progress under its direction; and

(b) call for and inspect any document which may be, for the purposes of this Regulation, in the possession, or under the control, of the District Board or a Committee; and

(c) require the District Board or a Committee to furnish such statements, accounts and reports as he thinks fit.

(2) Where a Joint Committee is appointed by the District Boards of two or more Districts, the Deputy Commissioner of any of those Districts may exercise a like power in respect of the proceedings of that Committee; but if any difference arises between two or more Deputy Commissioners acting under this sub-section, it shall be referred to the Government, for its decision.

Power to
suspend
execution of
orders, etc.

93. (1) If, in the opinion of the Deputy Commissioner, the execution of any order or resolution of a District Board or a Committee, or the doing of any act which is about to be done, or is being done, in pursuance of, or under cover of, this Regulation, is likely to cause injury or annoyance to the public or to any class or body of persons, or to lead to a breach of the peace, he may, by order in writing, suspend the execution or prohibit the doing thereof within his District.

(2) When a Deputy Commissioner makes any order under this section, he shall forthwith forward to the Government a copy of the order, with a statement of the reasons for making it, and it shall be in the discretion of the Government to rescind the order, or to direct that it continue in force, with or without modification permanently or for such period as it thinks fit.

Extraordi-
nary powers
of Deputy
Commissioner
in cases of
emergency.

94. (1) In cases of emergency, the Deputy Commissioner may provide for the execution of any work or the doing of any act, which a District Board is empowered to execute or do and the immediate execution or doing of which is, in his opinion, necessary for the service or safety of the public, and may direct that the expense of executing the work or doing the act, with a reasonable remuneration to the person appointed to execute, or to do it, shall be forthwith paid by the District Board.

(2) If the expense and the remuneration are not so paid the Deputy Commissioner may make an order directing the person having the custody of the balance of the District Fund to pay the expense and remuneration or as much thereof as is possible from that balance.

(3) The Deputy Commissioner shall forthwith report to the Government every case in which he exercises the powers given to him by this Section.

Power to
provide for
performance
of duties in
default of
District
Board.

95. (1) When the Government is informed on complaint made or otherwise that a District Board has made default in performing any duty imposed on it by or under this Regulation, the Government, if satisfied after due enquiry that the District Board has been guilty of the alleged default, may, by an order in writing, fix a period for the performance of that duty.

(2) If that duty is not performed within the period so fixed, the Government may appoint some person to perform it, and may direct that the expense of performing it, with a reasonable remuneration to the person appointed to perform it, shall be forthwith paid by the District Board.

(3) If the expense and the remuneration are not so paid, the Government may make an order directing the person having the custody of the balance of the District Fund to pay the expense and remuneration or as much thereof as is possible from that balance.

96. (1) If a District Board is not competent to perform, or, persistently makes default in the performance of, the duties imposed on it by or under this Regulation or otherwise by law, or exceeds or abuses its powers, the Government may, by an order published, with the reasons for making it, in the Official Gazette, declare the District Board to be incompetent, or in default, or to have exceeded or abused its powers, as the case may be, and supersede it for a period to be specified in the order.

Power to supersede District Board in case of incompetency, default or abuse of powers.

(2) When a District Board is so superseded, the following consequences shall ensue:—

Consequences of supersession of District Board.

(a) all members of the District Board shall, as from the date of the order, vacate their office as such members;

(b) all powers and duties of the District Board may, during the period of supersession, be exercised and performed by such person or persons as the Government, from time to time, appoints in that behalf;

(c) where a District Board is superseded, all property vested in it shall, during the period of supersession, vest in the Government subject to all rights over and all debts, liabilities and obligations, if any, affecting that property.

(3) On the expiration of the period of supersession specified in the order, the District Board shall be re-established by appointment or election, and the persons who vacated their offices under clause (a) shall not be deemed disqualified for appointment or election.

97. If any dispute for the decision of which this Regulation does not otherwise provide arises between two or more District Boards or between a District Board and one or more Municipal Councils, the matter shall be referred to the Government whose decision shall be final and binding.

Disputes.

98. In all matters connected with this Regulation, the Government and each Deputy Commissioner shall respectively, have and exercise the same authority and control over the Deputy Commissioners and their subordinates as it or he has and exercises over them in the general and revenue administration.

Powers of Government and of the Deputy Commissioners over subordinates.

99. (1) The Government may make rules or orders to carry out all or any of the purposes of this Regulation not inconsistent therewith and prescribe forms for any proceeding for which it considers that a form should be provided.

Power to make Rules or orders.

(2) In particular and without prejudice to the generality of the foregoing power, it shall have power to make rules or orders,

(a) with reference to all matters expressly required or allowed by this Regulation to be prescribed,

(b) with reference to all matters relating to election or appointment of members, the election of Presidents and Vice-Presidents, and the constitution of District Boards,

(c) with respect to the conduct of business of District Boards and Committees,

(d) as to the remuneration and allowances, if any, of members, Presidents and Vice-Presidents, the conditions under which and the rates at which payment of travelling expenses shall be made,

(e) as to delegation of powers to Presidents, Vice-Presidents or other officers or members or Committees,

(f) as to the submission of resolutions on questions connected with the administration of the District,

(g) as to the interpellation of the President by the members of a District Board,

(h) as to the intermediate offices, if any, through which correspondence between District Boards and the Government or Government officers shall pass,

(i) as to the conditions on which property may be acquired or transferred by District Boards.

(j) as to the mode of payment from the District Fund and the authority under which District Fund shall be expended,

(k) as to the conditions on which grants-in-aid shall be paid from the District Fund,

(l) as to the raising of loans by District Boards and the grant of loans for the encouragement of local arts and industries,

(m) as to the levy of tolls, fees and cesses, remissions and exemptions to be granted and the writing off of irrecoverable arrears,

(n) as to the preparation of plans and estimates for works which are to be partly or wholly constructed at the expense of District Boards and the power of the District Boards or the Government Officers to accord professional or administrative sanction to estimates,

(o) as to the accounts to be kept by District Boards, the manner in which such accounts shall be audited and the appointment and payment of auditors,

(p) as to the estimates of receipts and expenditure, returns, statements and reports to be submitted by District Boards,

(q) as to the mode in which the officers of Government shall advise and assist District Boards in carrying out the purposes of this Regulation,

(r) as to the recruitment of officers and officials and their qualifications and with regard to control, transfer, punishment or dismissal of officers and servants of District Boards and with regard to the pay, leave, pension and other privileges of such employees, and

(s) as to the guidance generally of District Boards, Committees, Joint Committees, and Government officers in all matters connected with the administration of this Regulation and not therein specially provided for.

Power of Government to amend, add to or cancel schedules.

100. The Government may alter, add to or cancel any of the schedules of this Regulation and such alteration, addition or cancellation when published in the Official Gazette shall have the force of law and all references in this Regulation to any of the aforesaid schedules shall be construed as referring to such schedules as for the time being amended in exercise of the powers conferred by this section.

Power under special circumstances to exempt District from operation of Regulation.

101. (1) If the circumstances of any District or part of a District are in the opinion of the Government such that any of the provisions of this Regulation are unsuited thereto, the Government may, by a notification in the Official Gazette, exempt the District or part of the District from the operation of those provisions and thereupon those provisions shall not apply to the exempted District or part of the District until again applied thereto by a subsequent notification of the Government.

Power to make rules in relation to notification under sub-section (1).

(2) While any notification under the former part of sub-section (1) of this section is in force, the Government may make rules to provide for any matter dealt with by the provisions of this Regulation to which the notification applies. Such rules, when published in the Official Gazette, shall have the force of law.

Publication of rules.

102. All rules made by the Government under this Regulation, shall be published in the Official Gazette both in English and Kannada.

Penalty for member, officer or servant of a District Board having an interest in any contract, etc., with that Board.

103. If any member of a District Board or any officer or servant maintained by or employed under a District Board has directly or indirectly any share or interest in any work done by order of the Board of which he is a member or by which he is maintained or under which he is employed, or in any contract with or under such Board, he shall be liable on conviction before a Magistrate to a fine not exceeding rupees five hundred.

Provided that no person shall be convicted under this section by reason only of such person,

(a) having a share in any joint stock company or a share or interest in any society registered or deemed to be registered under the Mysore Co-operative Societies Regulation which shall contract with or be employed by or on behalf of the District Board, or

(b) having a share or interest in any newspaper in which any advertisement relating to the affairs of the District Board may be inserted, or

(c) holding a debenture or being otherwise concerned in any loan raised by or on behalf of the District Board, or

(d) being professionally engaged on behalf of the District Board as a Legal Practitioner.

104. Every member of a District Board and every officer and servant maintained by or employed under a District Board shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

Members, etc., of District Boards to be public servants.

105. No action shall be brought against any District Board or any of its officers or any person acting under its direction, for anything done or purporting to be done under this Regulation, until the expiration of one month next after notice in writing shall have been delivered or left at the office of the Board or at the place of abode of such person, explicitly noting the cause of action and the name and the place of abode of the intended plaintiff.

Restrictions with respect to actions against District Board.

And every such action shall be commenced within six months next after the accrual of the cause of action and not afterwards.

106. Where any land is required for the purpose of this Regulation, the Government may, at the request of the District Board, proceed to acquire it under the provisions of the Land Acquisition Regulation, 1894; and, on payment by the District Board of the compensation awarded under that Regulation and of the charges incurred by the Government in connection with the proceedings, the land shall vest in the District Board.

Acquisition of land.

SCHEDULE I.

QUALIFICATIONS FOR VOTERS IN GENERAL CONSTITUENCY.

(See Section 9.)

(1) A person shall be qualified as a voter in a general constituency who—

(i) is the registered occupant of land situated in the constituency and assessed to land revenue of not less than Rs. 25 per annum payable to the Government; or

(ii) is a Kadim tenant paying an annual rent of not less than Rs. 25 per annum on account of land held by him in the constituency to the holder of an alienated village to which the provisions of Chapters VIII to X of the Land Revenue Code have been applied; or

(iii) pays annually a tax on buildings or shops of not less than Rs. 5 in the constituency; or

(iv) is the owner of alienated lands which would be assessed, if they were not alienated, to the land revenue at not less than Rs. 25 per annum; or

(v) is a Graduate of a University and ordinarily resides in the constituency; or

(vi) is a retired and pensioned officer (whether Commissioned or non-commissioned) of the Mysore State Troops and resides in the constituency; or

(vii) pays income-tax to the Government and resides in the constituency.